

REMARKS

Applicants appreciate the consideration of the present application afforded by the Examiner. Claims 1-3 and 7-23 are currently pending. Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks.

35 U.S.C. § 112, 2nd Paragraph Rejection

Claims 19-21 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Specifically, the language “includes is such that” was indicated as being unclear. Applicants have amended the claims to address this language.

The Examiner also indicated that the term “the desired color tone” in claims 19-21 lacks antecedent basis. Applicants respectfully disagree. Claim 1 recites “a desired color-tone” in line 3. Claim 2 recites “a desired color-tone” in lines 4-5. Claim 3 recites “a desired color-tone” in line 3. Claims 19-21 are dependent upon claims 1-3, respectively. Therefore, it is submitted that the limitation “the desired color tone” in claims 19-21 has antecedent basis.

Claims 19-21 have been amended to address the issues indicated in the Office Action. Applicants respectfully request that the § 112, second paragraph rejection of claims 19-21 be withdrawn.

Claim Objections

The Examiner has objected to claims 19-21 as being of improper dependent form for failing to further limit the subject matter of a previous claim, further stating that the recitations of the claims are duplicates of recitations in independent claims 1-3. Applicants respectfully disagree.

The independent claims recite the step of (or means for) “changing a color-tone of a desired area including the second area into the color-tone of the first area while gradually changing the color-tone at a border of the second area.” As recited in the claim, the second area is included in the desired area. The color-tone of the desired area is changed and the color-tone *at a border* of the second area is gradually changed. Dependent claims 19-21 further limit the independent claims by specifying that “a transition of the color tone of the second area from the border of the second area to the desired color tone is gradual”. In other words, claims 19-21 specify the color tone of the second area is changed gradually *from the border* of the second area. The independent claims only specify that the color tone of the desired area (which includes the second area) is changed while gradually changing the color tone at a border of the second area.

Thus, dependent claims 19-21 further limit independent claims 1-3. Accordingly, Applicants respectfully request that the objection to claims 19-21 be withdrawn.

CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be

any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact D. Richard Anderson (Reg. No. 40,439), to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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By: 

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